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4 UNITED STATES DISTRICT COURT  
5 WESTERN DISTRICT OF WASHINGTON  
6 AT TACOMA

7 JOEL CHRISTOPHER HOLMES,

8 Petitioner,

9 v.

10 CHRISTOPHER LANESE,

11 Respondent.

No. 3:19-CV-05027-RBL-DWC

**ORDER ADOPTING REPORT AND  
RECOMMENDATION**

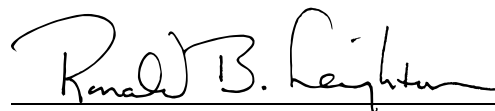
12 THIS MATTER is before the Court on the Report and Recommendation of Magistrate  
13 Judge David W. Christel [Dkt. # 4], Petitioner Holmes' Objections [Dkt. #], and the underlying  
14 record.

- 15 (1) The Report and Recommendation is **ADOPTED**.  
16 (2) Holmes' habeas petition under 28 U.S.C. § 2254 is **DISMISSED WITHOUT**  
17 **PREJUDICE**.  
18 (3) The Court will **NOT** issue a Certificate of Appealability under 28 U.S.C. §  
19 2253(c)(2), for the reasons articulated in the Report and Recommendation.

20 The Clerk shall send copies of this Order to Holmes' last known address and to  
21 Magistrate Judge Christel.

22 IT IS SO ORDERED.

23 **DATED** this 21<sup>st</sup> day of February, 2019.

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26 Ronald B. Leighton  
United States District Judge